

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

SHARON DIXON,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 2:05CV326-W
)	WO
RAVE MOTION PICTURES, INC., et al.,)	
)	
Defendants.)	

ORDER

This action is presently before the court on the motion to amend the complaint filed by plaintiff on May 6, 2005. Plaintiff seeks leave to amend Count III of the complaint to assert that she brings her claim pursuant to 42 U.S.C. § 1981, rather than § 1983. However, in paragraph 25 of the proposed amendment, plaintiff continues to maintain that defendants have violated her rights under the First and Fourteenth Amendments to the Constitution of the United States of America. Accordingly, it is

ORDERED that the motion (Doc. # 6) is DENIED without prejudice. Plaintiff may renew her motion with a proposed complaint that does not include any constitutional claims.

DONE, this 9th day of May, 2005.

/s/ Susan Russ Walker
SUSAN RUSS WALKER
UNITED STATES MAGISTRATE JUDGE